

Adam P. Schwartz
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SEP 10 2020	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Mina De Oro, LLC, a Nevada limited liability company; The Toy Chest, LLC a Nevada limited liability company,

Case No.: 2:20-cv-00994-GMN-VCF

Plaintiffs,
v.

Matthew Brent Goettsche, Jobediah Sinclair Weeks,
Joseph Frank Abel, Silviu Catalin Balaci, Bitclub,
and DOE and ROE Corps.,

Defendants.

**MOTION OF ADAM P. SCHWARTZ TO
WITHDRAW AS COUNSEL FOR DEFENDANT JOBEDIAH SINCLAIR WEEKS**

The undersigned counsel hereby moves for leave to withdraw as counsel for Defendant Jobediah Sinclair Weeks.

MEMORANDUM IN SUPPORT OF THE MOTION

1. The undersigned attorney is a shareholder at Carlton Fields P.A. who represents Mr. Weeks in another unrelated case and is not admitted to practice in Nevada.
2. Due to the unrelated representation, on June 17, 2020, counsel for Plaintiffs counsel emailed Mr. Schwartz asking if he would accept service of the complaint in the instant case on behalf of Mr. Weeks.

3. Mr. Schwartz agreed to accept service of the complaint on July 8, 2020 and returned an executed acceptance of service to plaintiff's counsel which was subsequently filed on August 4, 2020.

4. Mr. Schwartz never filed a Notice of Appearance in this case, he only agreed to accept service of the Complaint.

4. On August 5, 2020, this Court listed Mr. Schwartz as attorney of record for Mr. Weeks and entered a notice on the docket advising that Mr. Schwartz was required to submit a Verified Petition and Designation of Local Counsel as he is not admitted to practice law in the state of Nevada.

5. Mr. Weeks has not retained Mr. Schwartz to represent him in the instant case. As such, Mr. Schwartz did not file a Verified Petition and Designation of Local Counsel.

6. Mr. Schwartz's assistant contacted the court with regard to how to proceed and was advised by the courtroom deputy for Judge Navarro, Aaron Blazeovich, that, given the circumstances, the proper way in which to proceed would be to mail a Motion to Withdraw to the court indicating that Mr. Blazeovich authorized the filing of the document manually.

7. In good faith and pursuant to LR IA 1-3(f) and LR IA-6-1, Mr. Schwartz's assistant, on behalf of Mr. Weeks, contacted Plaintiff's counsel with regard to a 45-day extension of time up to and including October 23, 2020 to retain counsel in this matter. Plaintiff's counsel is agreeable to a 14-day extension of time up to and including September 23, 2020 to answer the Complaint. *See Exhibit A.*

8. Due to Mr. Week's detention in the Essex County Correctional Facility, the COVID-19 measures put into place and to afford Mr. Weeks an opportunity in which to obtain

other counsel or respond on his own behalf, Mr. Weeks is requesting 45 days, up to and including October 23, 2020, in which to file a response to the Complaint.

9. As of September 9, 2020 there has been no summons returned for any of the other defendants in this matter and an extension of time would not prejudice any party.

WHEREFORE, it is requested that an order withdrawing Mr. Schwartz as attorney of record for Mr. Weeks be entered and Mr. Weeks be permitted 45 days to secure counsel or file a response to the Complaint in this matter.

/s/ Adam P. Schwartz
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Carlton Fields, P.A.
P.O. Box 3239
Tampa, FL 33601-3239
Telephone: (813) 223-7000
Facsimile: (813) 229-4133

CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2020, I forwarded the foregoing to the Clerk of Court via U.S. Mail and served upon Plaintiffs' counsel via email.

/s/ Adam P. Schwartz
Adam P. Schwartz

EXHIBIT A

From: Jennifer Hogan
To: Maranto, Angie S.
Cc: George Robinson
Subject: Extension to Answer - 2:20-cv-994
Date: Wednesday, September 9, 2020 12:17:43 PM

We will agree to a 14 day extension to Answer the Summons and Complaint, due on 9/23/2020.

Thank You,

Jennifer Hogan

Paralegal to Sterling Kerr
2450 St. Rose Parkway, Suite 120
Henderson, NV 89074
P: (702) 451-2055
F: (702) 451-2077

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*Email re: authorization
to manually file doc.*

Maranto, Angie S.

From: Aaron Blazeovich <Aaron_Blazeovich@nvd.uscourts.gov>
Sent: Monday, August 31, 2020 6:49 PM
To: Maranto, Angie S.
Cc: Schwartz, Adam; Gaugush, Simon A.
Subject: RE: Mina De Oro, et al. v. Goettsche, et al. Case No. 2:20-cv-00994 - Acceptance of Service by A. Schwartz

Good Afternoon!

I apologize for the delay in my response, but the Court has been without power for days and we haven't had access to much during that time.

You will need to file a motion to withdraw. Typically, I recommend that you reach out to the attorney who will be representing the party in question and have them file it for you. If you don't know who that is, mail the motion to the Clerk's Office for filing with an extra 2 copies and a self-addressed, stamped envelope. We will mail back the file stamped copy. Also, please put a post-it on the top which informs the person who opens the mail that I authorized you to file the document manually. They should come to me with any questions or concerns.



Aaron Blazeovich
 Courtroom Deputy to the
 Honorable Judge Gloria M. Navarro
 U.S. District Court, District of Nevada - Las Vegas
 (702) 464-5421

From: Maranto, Angie S. <amaranto@carltonfields.com>
Sent: Friday, August 28, 2020 12:58 PM
To: Aaron Blazeovich <Aaron_Blazeovich@nvd.uscourts.gov>
Cc: aschwartz_carltonfields.com <aschwartz@carltonfields.com>; Gaugush, Simon A. <SGaugush@carltonfields.com>
Subject: Mina De Oro, et al. v. Goettsche, et al. Case No. 2:20-cv-00994 - Acceptance of Service by A. Schwartz

Good afternoon,

In the above mentioned case, Mr. Adam Schwartz accepted service of the complaint on behalf of Mr. Weeks as Mr. Weeks is a current client of ours. For this case however, we will not be able to represent him. Since Mr. Schwartz is not admitted in Nevada and thus, unable to file any type of document, can you provide instruction as to how we go about removing him as attorney of record for Mr. Weeks for the instant case? Thank you in advance for your assistance.

**CARLTON
 FIELDS**

Angie S. Maranto
 Legal Administrative Assistant

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ORIGIN ID: KYOA (813) 223-7000
ANGIE MARANTO

SHIP DATE: 09SEP20
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CAD: 5804338/INET4280

4221 W. BOYSCOUT BLVD
SUITE 1000
TAMPA, FL 33607
UNITED STATES US

BILL SENDER

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USDC DISTRICT OF NEVADA
333 LAS VEGAS BLVD S

LAS VEGAS NV 89101

(813) 229-4985

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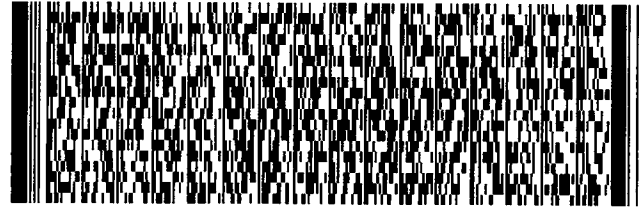
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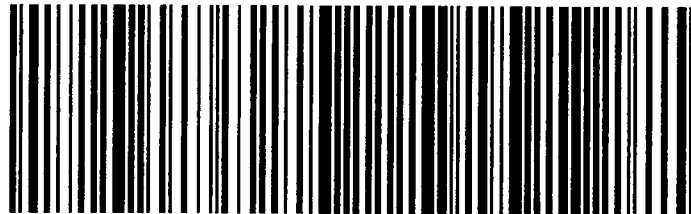
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9/9/2020